

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Smith, Gale E., *et al.*
Serial No. : 09/484,886
Filing Date : January 18, 2000
For : **IN VIVO ACTIVE ERYTHROPOIETIN PRODUCED IN INSECT CELL**
Examiner : Srivastava, Kailsah C.
Art Unit : 1657
Confirmation No. : 1236

745 Fifth Avenue, New York, NY 10151

**FILED VIA EFS WEB
ON March 25, 2009**

**PRELIMINARY AMENDMENT UNDER
37 C.F.R § 1.114, AND REQUEST FOR INTERVIEW**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the final Office Action mailed February 20, 2008 setting a three (3) month period for response. A Notice of Appeal was filed on August 25, 2008 setting a two (2) month period for response.

Amendments to the claims begin on page 2.

Remarks begin on page 7.